

HIGHLANDS REGIONAL



MASTER PLAN
2008

Highlands Council Meeting

October 21, 2010



Plan Conformance Update

Plan Conformance Update

Plan Conformance Petitions 64 Petitions for Plan Conformance have been submitted – (59 municipalities and 5 counties). Latest submissions from Phillipsburg and Alpha. 47 Petitions (including 2 counties) have been deemed Administratively Complete and posted to the Highlands Council website.

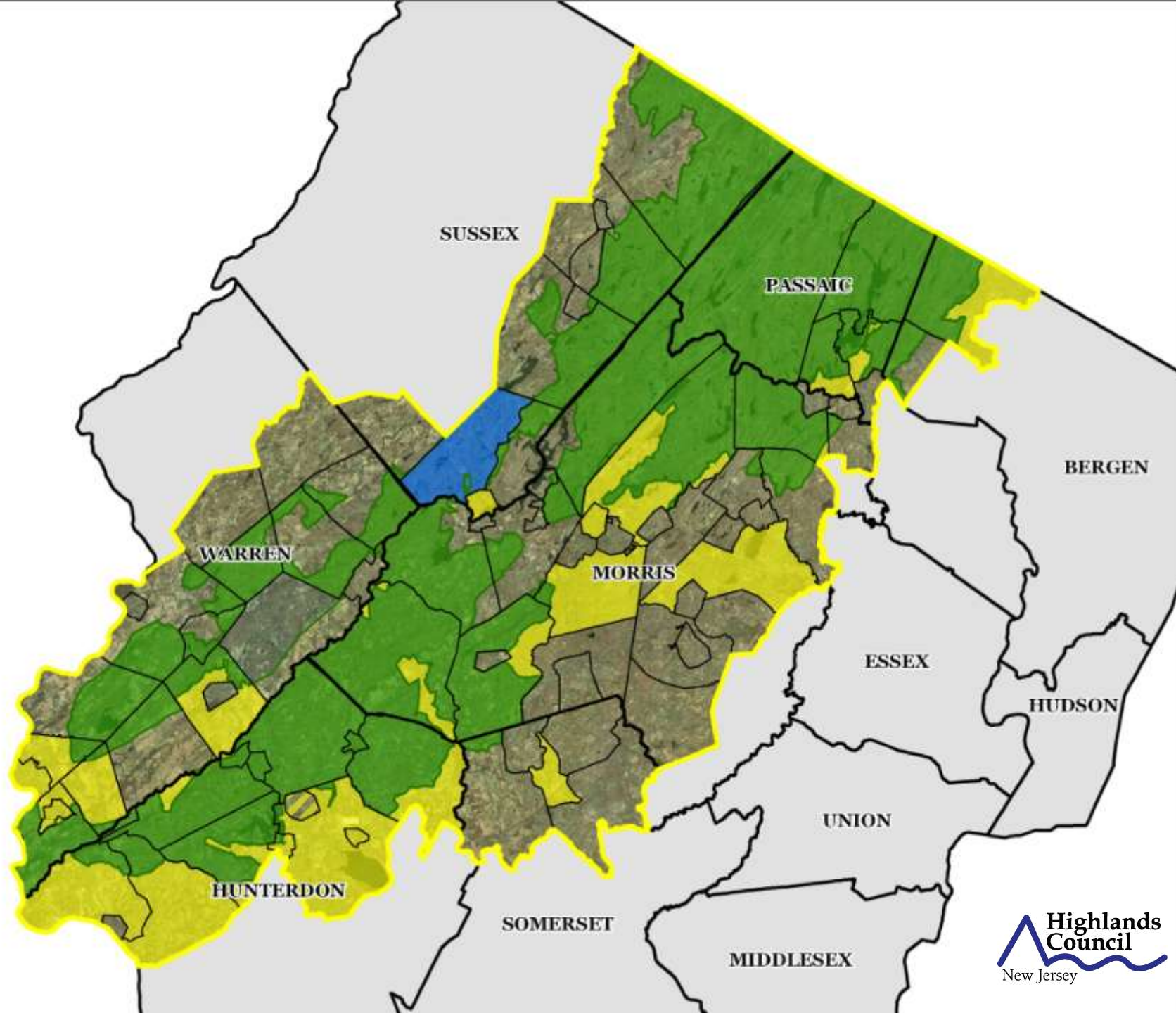
- Staff has reviewed 36 Petitions and prepared Draft Consistency Review and Recommendations Reports for each. Of these, 12 have been completed and sent to the petitioning municipality or county (as listed below);

Tewksbury Twp
Clinton Town
Mount Olive Twp
Mahwah Twp

Bethlehem Twp
Glen Gardner Borough
Rockaway Twp
Chester Twp

Califon Borough
Lebanon Borough
Passaic County
Franklin Twp

In addition, Byram Township has been approved by Highlands Council, Chester Township is being considered today, and Hampton Borough's Petition is in the public comment period. The public can follow the Plan Conformance process on the website.



Plan Conformance Update

Plan Conformance Grant Program: Following are the average amounts requested for reimbursement by municipalities that are participating in Plan Conformance grant activities. On average, reimbursement requests to date are within the base amounts established by the Highlands Council. We do anticipate that some towns will need additional grants due to unique circumstances.

<u>Towns</u>	<u>Base Amount</u>	<u>Average</u>	<u>Number</u>
Module 1	\$15,000	\$13,177	67
Module 2	\$10,000	\$ 6,323	62
Module 3	\$ 7,500	\$10,548	47
Module 4	\$ 2,000	\$ 3,178	52
Module 5	\$ 2,500	\$ 5,590	43
Module 6	\$ 5,000	\$ 3,829	41
Module 7	<u>\$ 8,000</u>	<u>\$ 6,156</u>	37
Total	\$50,000	\$49,801	

Public Hearing

Chester Township Petition for Plan Conformance

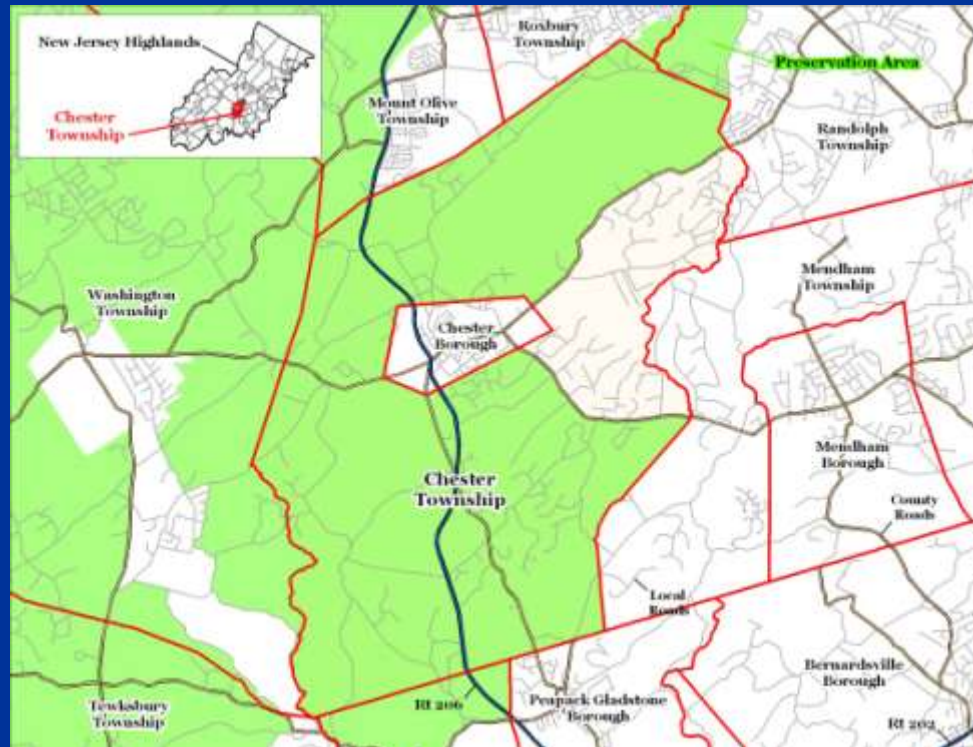
Introduction to Chester Township



Photos above and to follow provided by Joan Case and the Highlands Council

Chester Township Location

“In the years leading to the revolution and on into the early 1800's, Chester Township was an important stagecoach stop on the trip from New York, New Brunswick, and Morristown to Phillipsburg.” – “Chester History,” Chester Township municipal website



Chester Township

Background Statistics

- Established: 1799
- Population (2009): 7,771
- Land Area: 29.2 sq. mi./ 18,694 Acres
- Agricultural Lands: 3.3 sq. mi. / 2,110 Acres (809 acres Preserved Farmland) – 11%
- Preserved Lands: 11.3 sq. mi./ 7,258 Acres – 39%
- Wetlands, Lakes & Ponds: 3.4 sq.mi. / 2,152 Acres – 11%



Chester Township

Background Information

- **Significant Parks:** Hacklebarney State Park, Black River Wildlife Management Area (state); Black River Greenway and Black River Park (county); Bamboo Brook Outdoor Education Center (county); Tiger Brook Park (municipal); Chubb Park (municipal)
- **Sites on the Highlands Scenic Resource Inventory:** Hacklebarney State Park, Black River Wildlife Management Area, Bamboo Brook



Chester Township

Significant Highlands Statistics

- Preservation Area Lands: 24.7 sq. mi./ 15,790 Acres – 84%
- Planning Area Lands: 4.5 sq. mi./ 2,904 Acres – 16%
- Highlands Open Water Protection : 12.4 sq. mi./7,933 Acres – 42%
- Severe Steep Slope Areas: 6.9 sq. mi./ 4,448 Acres – 24%
- Forest Areas: 15.2 sq. mi./ 9,745 Acres – 52%
- Agricultural Priority Areas: 9.2 sq. mi. / 5,874 acres – 31%
- Conservation Priority Areas: 6.2 sq. mi./ 3,956 Acres – 21%

Chester Township

Background Statistics – Land Use

NJDEP Land Use/Land Cover (2005/2007)	Acres	Percent
Residential (Single & Multi Family)	3,870	21%
Commercial (Retail)	157	1%
Industrial & Transportation & Utilities	244	1%
Agriculture (Crops & Plantations)	2,131	11%
Recreational Lands (Public and Private)	132	1%
Other	306	2%
Subtotal Developed Lands	6,840 (10.7 sq. mi.)	37%
Mixed Forest	8,694	47%
Shrub & Scrub	917	5%
Mixed Wetlands	2,027	11%
Barren Lands	84	1%
Surface Waters (Lakes, Ponds & Tributaries)	132	1%
Subtotal Natural Lands (incl. Open Space)	11,854 (18.5 sq. mi.)	63%

Chester Township, Morris County, NJ



Chester Township

Chester Township

Sampling of Township Planning Initiatives

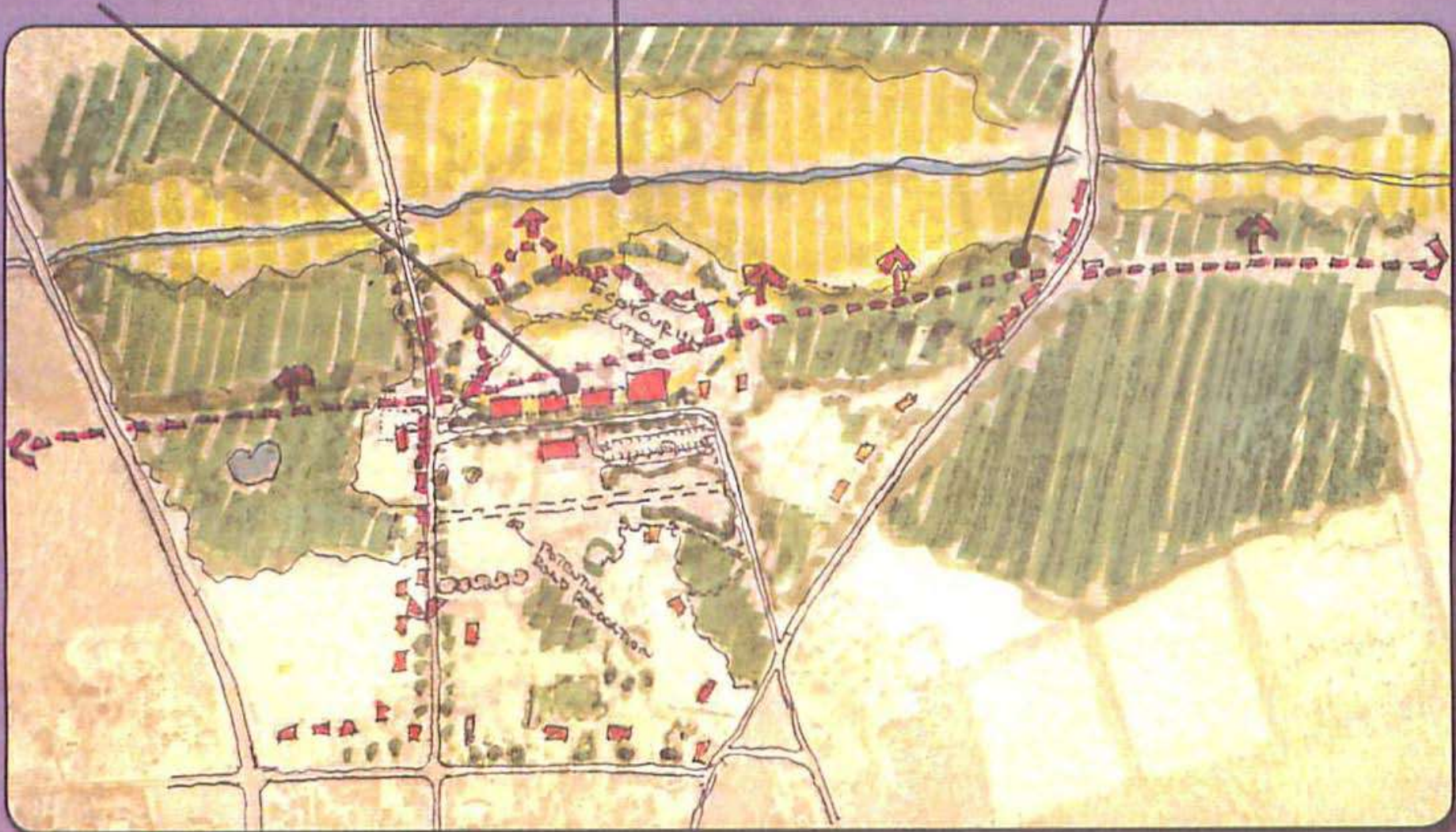
In addition to maintaining an up-to-date Comprehensive Master Plan (including all mandatory elements and numerous optional elements), Chester has a history of proactive engagement in community planning and conservation initiatives:

- Right to Farm Ordinance – 1996 (used as a municipal model)
- Highlands Planning Area Land Use Assessment – 2005
- Chester Township and Chester Borough Consolidation Study
- Four Towns Recreation Plan – 2009 (Chester Township, Chester Borough, Mendham Township and Mendham Borough)
- Environmental Plan and Utility Plan Master Plan Element Amendments to Protect Public Wells – 2004
- Stormwater Management & Pollution Prevention Plans
- Mayor's Institute – Lace Factory Analysis for Redevelopment

New hamlet of mixed
use development

Habitat restoration and enhance-
ment along the Black River

New trail system links to existing trails
and provides access to riverfront



Lace Factory Redevelopment and Restoration

New Jersey Highlands

Chester Township



Roxbury Township

Mount Olive Township

Randolph Township

Mendham Township

Mendham Borough

County Roads

Local Roads

Washington Township

Chester Borough

Chester Township

Tewksbury Township

Rt 206

Peapack Gladstone Borough

Bernardsville Boro
Highlands Council
New Jersey

New Jersey Highlands

Chester Township



Highlands Council
New Jersey
Mount Olive Township

Roxbury Township

Randolph Township

Mendham Township

Mendham Borough

Washington Township

Chester Borough

Chester Township

Peapack Gladstone Borough

Tewksbury Township



Legend

- Municipal Boundaries
- Parcel Boundaries
- Highlands Planning Area
- Highlands Preservation Area
- Land Use Capability Zone
 - Protection
 - Conservation
 - Existing Community
- Land Use Capability Sub-Zone
 - Existing Community Environmentally Constrained
 - Conservation Environmentally Constrained
 - Wildlife Management

New Jersey Highlands

Chester Township



Highlands Council
New Jersey
Mount Olive Township

Roxbury Township

Randolph Township

Mendham Township

Mendham Borough

Washington Township

Chester Borough

Chester Township

Tewksbury Township

Peapack Gladstone Borough

Legend

- Municipal Boundaries
- Parcel Boundaries
- Highlands Planning Area
- Highlands Preservation Area
- Land Use Capability Zone**
 - Protection
 - Conservation
 - Existing Community
- Land Use Capability Sub-Zone**
 - Existing Community Environmentally Constrained
 - Conservation Environmentally Constrained
 - Wildlife Management

New Jersey Highlands

Chester Township



Highlands Council
New Jersey
Mount Olive Township

Roxbury Township

Randolph Township

Mendham Township

Mendham Borough

Chester Borough

Chester Township

Washington Township

Tewksbury Township

Peapack Gladstone Borough



Legend

-  Municipal Boundaries
-  Forest Resource Area
-  Total Forest Area
- Land Use Capability Zone
 -  Low
 -  Moderate
 -  High

New Jersey Highlands

Chester Township



Highlands Council
New Jersey
Mount Olive Township

Roxbury Township

Randolph Township

Mendham Township

Mendham Borough

Chester Borough

Washington Township

Chester Township

Tewksbury Township

Peapack Gladstone Borough

Legend

-  Municipal Boundaries
-  Lakes & Ponds
-  Streams
-  Wetlands
-  Highlands Open Water Buffers (300ft)

Watershed Values
By HUC-14 Subwatershed

-  Low
-  Moderate
-  High

New Jersey Highlands

Chester Township



Highlands Council
New Jersey
Mount Olive Township

Roxbury Township

Randolph Township

Mendham Township

Mendham Borough

Chester Borough

Chester Township

Washington Township

Tewksbury Township

Peapack Gladstone Borough



Legend

- Municipal Boundaries
- Riparian Area
- Highlands Open Water Buffers (300ft)
- Riparian Integrity By HUC-14 Subwatershed**
 - Low
 - Moderate
 - High

New Jersey Highlands

Chester
Township



Highlands
Council
New Jersey
Mount Olive
Township

Roxbury
Township

Randolph
Township



Mendham
Township

Chester
Borough

Mendham
Borough

Washington
Township

Chester
Township

Tewksbury
Township

Peapack Gladstone
Borough

Legend

-  Municipal Boundaries
- Steep Slope Protection Area
 -  Severely Constrained
 -  Moderately Constrained
 -  Constrained/Limited Constrained

New Jersey Highlands

Chester
Township



Highlands
Council
New Jersey
Mount Olive
Township

Roxbury
Township

Randolph
Township

Mendham
Township

Mendham
Borough

Washington
Township

Chester
Borough

Chester
Township

Tewksbury
Township

Peapack Gladstone
Borough

Legend

-  Municipal Boundaries
-  Vernal Pools + 1000ft Buffer
-  Significant Natural Areas
-  Critical Wildlife Habitat

New Jersey Highlands

Chester Township



Highlands Council
New Jersey
Mount Olive Township

Roxbury Township

Randolph Township

Mendham Township

Mendham Borough

Washington Township

Chester Borough

Chester Township

Tewksbury Township

Peapack Gladstone Borough

Legend

- Municipal Boundaries
- Carbonate Rock Areas
- Prime Ground Water Recharge Areas
- Wellhead Protection Areas
 - (Tier 1) 2-Year
 - (Tier 2) 5-Year
 - (Tier 3) 12-Year

New Jersey Highlands

Chester
Township



Highlands
Council
New Jersey
Mount Olive
Township

Roxbury
Township

Randolph
Township



Mendham
Township

Chester
Borough

Mendham
Borough



Washington
Township

Chester
Township

Tewksbury
Township

Peapack Gladstone
Borough

Legend

-  Municipal Boundaries
-  Agricultural Resource Area

New Jersey Highlands

Chester Township



Highlands Council
New Jersey
Mount Olive Township

Roxbury Township

Randolph Township

Mendham Township

Mendham Borough

Chester Borough

Chester Township

Washington Township

Peapack Gladstone Borough

Tewksbury Township



Legend

- Municipal Boundaries
- Scenic Resources
- Historic Properties
- New Jersey Historic Districts
- Archaeological Grids (1 sqmi)

New Jersey Highlands

Chester
Township



Highlands
Council
New Jersey
Mount Olive
Township

Roxbury
Township

Randolph
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Mendham
Township

Mendham
Borough

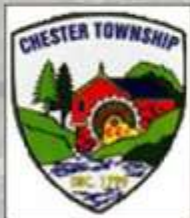
Chester
Borough

Chester
Township

Washington
Township

Tewksbury
Township


Peapack Gladstone
Borough



Legend

 Municipal Boundaries

Existing Area Served for:


 Public Community Water Systems


 Highlands Domestic
Sewerage Facilities

Net Water Availability
By HUC14 Subwatershed
Million Gallons Per Day (MGD)

 0.05 - 0.09

 0.00 - 0.04

 -0.09 - -0.01

 -0.99 - -0.10

 -7.10 - -1.00

New Jersey Highlands

Chester Township



Highlands Council
New Jersey
Mount Olive Township

Roxbury Township

Randolph Township



Mendham Township

Mendham Borough

Chester Borough

Washington Township

Chester Township

Tewksbury Township

Peapack Gladstone Borough

Legend

-  Municipal Boundaries
- Conservation Priority Areas
 -  High
 -  Preserved Lands

New Jersey Highlands

Chester
Township



Highlands
Council
New Jersey
Mount Olive
Township

Roxbury
Township

Randolph
Township



Mendham
Township

Mendham
Borough

Chester
Borough

Washington
Township

Chester
Township

Tewksbury
Township

Peapack Gladstone
Borough

Legend

-  Municipal Boundaries
- Conservation Priority Areas
 -  High
 -  Moderate
 -  Preserved Lands

New Jersey Highlands

Chester
Township



Highlands
Council
New Jersey
Mount Olive
Township

Roxbury
Township

Randolph
Township



Mendham
Township

Mendham
Borough

Chester
Borough

Washington
Township

Chester
Township

Tewksbury
Township

Peapack Gladstone
Borough

Legend

-  Municipal Boundaries
-  Agricultural Priority Areas
-  High
-  Preserved Lands

New Jersey Highlands

Chester
Township



Highlands
Council
New Jersey
Mount Olive
Township

Roxbury
Township

Randolph
Township



Mendham
Township

Mendham
Borough

Chester
Borough





Washington
Township

Chester
Township

Tewksbury
Township

Peapack Gladstone
Borough

Legend

-  Municipal Boundaries
- Agricultural Priority Areas
 -  High
 -  Moderate
 -  Preserved Lands

Chester Township

Morris County, New Jersey



PETITION FOR PLAN CONFORMANCE ADMINISTRATIVE RECORD

12/07/09	Petition for Plan Conformance Submitted
2/4/10	Petition Deemed Administratively Complete
2/9/10	Petition Posted to Highlands Council Website
6/17/10	Draft Consistency Report Sent to Municipality
9/29/10	Final Draft Report Posted to Highlands Council Website
10/14/10	End of Public Comment Period (Start 9/30/10)
10/18/10	Final Report Posted to Highlands Council Website
10/21/10	Highlands Council Public Hearing

Chester Township

Petition for Plan Conformance

Required Module Submittals:

1. Current Municipal Conditions & Build-Out Analysis
2. Land Use and Resource Capacity Analysis
3. Housing Element & Fair Share Plan
4. Environmental Resource Inventory
5. Master Plan Highlands Element
6. Highlands Area Land Use Ordinance
7. Petitioning Resolution, Municipal Self-Assessment, Highlands Implementation Plan & Schedule

Highlands Municipal Build-Out Report – Modules 1 & 2

- The Report uses a Limiting Factor Analysis to examine Land-Based, Resource-Based, and Utility-Based Capacities.
- The Highlands Municipal Build-Out Report for Chester Township was completed by the Highlands Council in collaboration with the municipality prior to a finding of Administrative Completeness of the Petition.
- The Report is dated July 2009 and was posted to the Highlands Council website on July 9, 2009.
- Staff RMP Consistency Finding: CONSISTENT

Housing Plan – Module 3

- Summary of Chester Township Fair Share Obligation
 - Rehabilitation Share: 4 Units
 - Prior Round Obligation: 32 Units
 - Growth Share Obligation: 19 Units
- Summary of Chester Township Fair Share Plan
 - Municipal Rehabilitation Program: Completed.
 - Prior Round Sites:
 - 15-unit 100% affordable project. Completed.
 - 9-unit special needs project. Completed.
 - 1 Accessory Apartment.
 - 3 Prior cycle Credits and 6 Bonus Credits.
 - New Project/Sites:
 - Community Residence for Developmentally Disabled (Glenlora site). 15 units.
 - Habitat for Humanity 1-family home.
 - Rental Bonus Anticipated Credits: 7
- Staff RMP Consistency Finding: CONSISTENT

Environmental Resource Inventory

Module 4

- Describes & Illustrates Highlands Resources, Resource Areas, and Special Protection Areas in the Municipality
- Chester Township Submittal Based on Highlands Council Model Environmental Resource Inventory
 - ❖ All Applicable Narrative Portions Retained
 - ❖ All Applicable Exhibits Included
- Staff RMP Consistency Finding: CONSISTENT

Master Plan Highlands Element Module 5

- Chester Township Submittal Based on Highlands Council Model
 - ❖ All Applicable Narrative Portions Retained
 - ❖ All Applicable Exhibits Provided
- Staff RMP Consistency Finding: CONSISTENT

Highlands Area Land Use Ordinance

Module 6

- Chester Township Submittal Based on Highlands Council Model
 - ❖ All Applicable Narrative Portions Retained
 - ❖ All Applicable Exhibits Provided – Note: To be replaced with Updated Highlands Council Parcel-Based Exhibits
- Staff RMP Consistency Finding: CONSISTENT

Municipal Petition for Plan Conformance

Module 7

- Consists of all Petition Supporting Materials: Petitioning Resolution/Ordinance, Self-Assessment Report, List of Current Planning Documents, Highlands Implementation Plan & Schedule
- Chester Submittals Based on Highlands Council Models
 - ❖ Resolutions (#1-Preservation Area, #2-Planning Area) Complete
 - ❖ Self-Assessment Report Accurate & Complete
 - ❖ Requested Planning Documents Submitted to Highlands Council
- Staff RMP Consistency Finding: CONSISTENT

Chester Township Petition for Plan Conformance

Public Comments Received

- The public comment period for Chester Township's Petition for Plan Conformance opened September 30, 2010, and closed October 14, 2010. Notice was given in area newspapers as well as on the Highlands Council website and through the Highlands Council e-mail alert system.
- **Comments received from:**
 - Mayor Cogger, Chester Township - Municipal Comment
 - Nicholas Tufaro, PP, LLA, RLA
 - Erica Sollberger, RLA, President, New Jersey Chapter, ASLA
 - Fair Share Housing Center
 - New Jersey Highlands Coalition
 - New Jersey Farm Bureau

Public Comments and Responses

- Comment: Chester Township addressed staff concerns regarding the Byrne Apartment affordable housing project (Block 44, Lot 11).
 - Response: At the request of the Township of Chester, the Byrne Apartment site has now been removed from the Township's Fair Share Plan, and is no longer proposed. The preparation and submission of a revised Fair Share Plan is now a condition of approval.
- Comment: Requests were submitted that the Highlands Area Land Use Ordinances be modified to include Landscape Architects among the professionals listed as required for various types of application reviews.
 - Response: The Highlands Area Land Use Ordinance (for Chester Township and all models) will be updated to include any professionals licensed by the State of New Jersey that are specifically permitted to review and provide findings as noted in the Highlands Area Land Use Ordinance.

Public Comments and Responses

- Comment: A number of detailed comments were submitted by the New Jersey Farm Bureau on the Highlands Area Land Use Ordinance in regards to Farming and Agriculture. A detailed response to each comment was provided.
 - Most Relevant Response: The Ordinance provides an important exclusion for agriculture(see § 2.1.1): “Unless specifically indicated otherwise, and in that case only to the specific extent indicated, the provisions of this Ordinance shall not apply to Agricultural or Horticultural Use and Development.”
- Comment: A letter was filed (with COAH) by the Fair Share Housing Center objecting to the use of Highlands Council Build-Out results to adjust the Township’s Fair Share Obligation. (Detailed response provided.)
 - Summary Response: These comments specifically relate to matters that are pending before the Appellate Division in litigation filed by Fair Share Housing Center. Chester Township’s Petition should be approved conditioned upon achieving and retaining compliance with the Fair Housing Act. In addition, the response clarifies that the Build-Out Report is based upon the Highlands Act and RMP requirements.

Petition Disposition

Chester Township Petition for Plan Conformance

Staff Recommendation: **APPROVE WITH CONDITIONS**

PROPOSED CONDITIONS

- Adoption of Ordinance Petitioning for Planning Area
- Adoption of Interim Checklist Ordinance – Development Applications referred to Highlands Council for RMP Consistency Determination prior to local determination of completeness pending adoption of all Master Plan/Ordinance provisions
- Adoption of Completed, Final Environmental Resource Inventory
- Development, Highlands Council Approval, & Adoption of Final Highlands Element & Land Use Ordinance

Petition Disposition

Chester Township Petition for Plan Conformance

CONDITIONS (Continued)

- Adoption of Updated Zoning Map
- Compliance with Fair Housing Act (COAH Certification)
- Update/Development & Implementation of:
 - Water Use & Conservation Management Plan
 - Stormwater Management Plan (updated only)
 - Habitat Conservation & Management Plan
 - Land Preservation & Stewardship Program
 - Septic System Management/Maintenance Plan

HIGHLANDS REGIONAL



MASTER PLAN
2008

Highlands Council Meeting

October 21, 2010

